

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, SEPTEMBER 27, 2006
TIME: 7:00 P.M.

MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MARIE MALBURG, TREASURER
DINO F. BUCCI, JR, TRUSTEE
JANET DUNN, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: MICHAEL D. KOEHS, CLERK

ALSO PRESENT: Lawrence Dloski, Legal Counsel
James R. Gelios, Deputy Clerk
Jerome Schmeiser, Planning Consultant
James VanTiflin, Engineering Consultant
(Additional attendance on file at the Clerk's Office)

Call Meeting to Order

Pledge of Allegiance

Supervisor BRENNAN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

1. Roll Call

Deputy Clerk James Gelios called the Roll, Clerk Michael Koehs absent; all other members present.

MOTION by KRZEMINSKI seconded by BUCCI to refrain from calling the name of Michael Koehs for this meeting.

MOTION carried.

2. Approval of Agenda Items (with any corrections)

Two items added to agenda by Supervisor BRENNAN under Supervisor comments; 26a-Inspection Service Agreement for the Town Hall HVAC System and 26b-Plante Moran Commitment letter for Supervisor to sign.

MOTION by DUNN seconded by MALBURG to approve the agenda as presented and amended.

MOTION Carried.

Member KRZEMINSKI recognized and welcomed two Boy Scouts in the audience to earn their Boy Scout merit badges and had the Boy Scouts give their names to the Board members. Supervisor Brennan welcomed them also and thanked them for attending the meeting. The Boy Scouts were identified as Grant Smallie and Samuel Smith from Troop #1940.

3. Approval of the Bills

MOTION by KRZEMINSKI seconded by BUCCI to approve payment of the bills as presented.

MOTION Carried.

4. Approval of the previous Meeting Minutes from September 13, 2006

MOTION by DUNN seconded by MALBURG to approve the previous meeting minutes as presented.

MOTION Carried.

5. Consent Agenda Items:

A. Clerk's Department:

1. Request to Approve Model Permits; Pine Valley Subdivision, Section 4; Lots 20, 21, 22, and 23.
2. Request to Release Model Permit Bond; Rivers Estates Subdivision, Lot 4; 50918 Summit View Drive.
3. Request to Release Model Permit Bond; Pinewood Villas East Subdivision, Lot 28; 51805 Blue Spruce Drive.
4. Request to Release Model Permit Bond; Summerfield Estates Subdivision, Section 27; Lots 1 and 2.
5. Request to Release Model Permit Bond; Towngate Subdivision, Section 35; Lot 1.
6. Request to Release Monuments and Irons Bond; Cornerstone Village Subdivision #5, Section 27.
7. Request to Release Monuments and Irons Bond; Twin Rivers Subdivision, Section 33.
8. Request to Release Monuments and Irons Bond; Cornerstone Village # 2, Section 27.

9. Request to Release Monuments and Irons Bond; Cornerstone Village # 3, Section 27.
10. Request to Release Monuments and Irons Bond; Cornerstone Village #1, Section 27.
11. Request to Release Monuments and Irons Bond; Cornerstone Village #6, Section 27. Brittany Parc Subdivision, Section 27.
12. Request to Release Site Plan Bond; Crest Volvo Dealership; Section 36, Permanent Parcel No. 08-36-376-003.
13. Request to Release Site Plan Bond; The Rivers Estates Subdivision, Section 23. Permanent Parcel No. 08-23-100-011.
14. Request to Release Wall Sign Bond; Radiance Tanning, 21920 23 Mile Road, Section 23.
15. Request to Release Wall Sign Bond; 1st Choice Physical Therapy, 21515 21 Mile Road, Section 27.
16. Request to Release Landscape Bond; Bar Code Solutions, Regency Drive, Parcel No. 08-17-344-021.
17. Request to Release Utility and Paving Bond; Cornerstone Village #6, Section 27.
18. Request to Release Water Service Taps Bond; Oak Pointe Subdivision, 21 Mile and Fairchild Roads, Section 36.
19. Request to Release Miller Drain Construction Bond; Cornerstone Village #1, Section 27.
20. Request to Release Sales Trailer Bond; Hartford PUD, Section 14, 24 Mile Rd and Card Road.
21. Request for Monuments and Irons Bond Release; Brittany Parc Subdivision, Section 27.

B. Department Monthly Reports: (FIRST MEETING OF THE MONTH ONLY)

1. Building Department
2. Fire Department
3. Macomb County Sheriffs Department
4. Parks and Recreation Department
5. Water/Sewer Department

C. Water/Sewer Dept.

1. Easement Encroachment Agreement; Julie A. Bennett, 21357 Sue Ellen Drive, Lot 49; South Fork Estates; Parcel No. 08-29-451-019.

MOTION by BUCCI seconded by NEVERS to approve the consent agenda items as presented.

MOTION Carried.

6. Public Comments - (3 minute time limit)

Rose Marie Valenti spoke to the Board regarding neighbor problems she's having with neighbor's trailer being parked illegally. Also, Olive Kulanuk spoke regarding vehicles speeding in her neighborhood and the single waste hauler issue. Supervisor Brennan addressed both citizens' concerns.

PLANNING

7. Rezoning Request C-2 (General Commercial District) to CF (Community Facilities); Located on the northeast corner of 24 Mile Road and Hayes Road; Section 7; Gateway Village Center, LLC, Petitioner. Permanent Parcel No. 08-07-300-015.

Petitioner Richard Graving present to answer any questions the Board might have.

MOTION by DUNN seconded by NEVERS to approve the rezoning request from C-2 to CF for Gateway Village Center located on northeast corner of 24 Mile Road and Hayes.

MOTION Carried.

8. Extension of Time for Preliminary Plan; Cardinal Cove; Located on the north side of 24 Mile Road, 1,200 feet east of Romeo Plank Road; Section 8; Northern Macomb Development, Petitioner. Permanent Parcel 08-08-400-020.

Petitioner Joe Locriccio present to answer any questions the Board might have.

MOTION by BUCCI seconded by KRZEMINSKI to approve the extension of time for the Preliminary plan of Cardinal Cove, to Oct 12, 2007.

MOTION Carried.

9. Land Division Variance; Bridgewater Site Condominiums; Located on the south side of 24 Mile Road, ¼ mile east of Romeo Plank Road; Section 17; MSC Land Development, Petitioner. Permanent Parcel No. 08-17-201-002.

Petitioner Stacy Cerget present to answer any questions the Board might have.

MOTION by DUNN seconded by MALBURG to approve the Land Division Variance for Bridgewater Site Condominiums. A roll call vote was requested by Supervisor Brennan.

FOR: DUNN, MALBURG, BUCCI, KRZEMINSKI, NEVERS and BRENNAN.
AGAINST: NONE

ABSENT: KOEHS

MOTION Carried.

10. Preliminary Plan; Bridgewater Site Condominiums; Located on the south side of 24 Mile Road, ¼ mile east of Romeo Plank Road; Section 17; MSC Land Development, Petitioner. Permanent Parcel No. 08-17-201-002.

MOTION by BUCCI seconded by KRZEMINSKI to approve the preliminary plan for Bridgewater Site Condominiums as presented.

MOTION Carried.

NEW BUSINESS

11. Request to Enter into Street Lighting Agreement; Legacy Estates Site Condominiums.

MOTION by DUNN seconded by MALBURG to approve entering into the Street Lighting Agreement for Legacy Estates site Condominiums as presented.

MOTION Carried.

12. Request to Schedule a Public Hearing Date; Riverwoods Farms Subdivision, Section 33. (October 25, 2006)

MOTION by KRZEMINSKI seconded by DUNN to schedule October 25, 2006 as a Public Hearing date for the Street Lighting Proposal and Agreement for Riverwoods Farms Subdivision.

MOTION Carried.

13. Request to Schedule a Public Hearing Date; Portofino Villas Subdivision, Section 15. (October 25, 2006)

MOTION by BUCCI seconded by MALBURG to schedule October 25, 2006 for a Public Hearing date for Street Lighting Proposal and Agreement for Portofino Villas Subdivision.

MOTION Carried.

14. Request Authorization for Supervisor's Signature; Verizon Co-Location Agreement, Macomb Township Fire Station No. 2.

MOTION by BUCCI seconded by DUNN to authorize Township Supervisor John Brennan to sign the Verizon Co-Location Agreement at Macomb Township Fire Station No. 2 as presented.

MOTION Carried.

FIRE DEPARTMENT

15. Request to Purchase Four (4) 800 Mhz Radios.

Fire Chief Robert Phillips addressed the Board members regarding this item, recommending eight (8) instead of four(4), as originally requested, Motorola radios be purchased due to the \$19,958.00 grant received from the Macomb County Health Department. The total cost for the Motorola radios is \$20,008.00 and the Chief indicated the Fire Department would contribute \$50.00 toward the difference in the purchase price of the eight (8) radios.

MOTION by KRZEMINSKI seconded by MALBURG to approve the purchase of eight (8) 800 Mhz Motorola radios as presented.

MOTION Carried.

16. Request to Purchase Mounting Equipment for Laptop Computers.

Fire Chief Phillips addressed the Board members regarding this item, recommending purchasing the mounting equipment from MobileTek Consultants in the amount of \$4,479.00.

MOTION by DUNN seconded by NEVERS to approve this purchase in the amount of \$4,479.00 as presented.

MOTION Carried.

17. Request for 'Professional Development and Team Building' Training.

Fire Chief Phillips addressed the Board members regarding this item, indicating the cost would be \$2,950 plus travel expenses not to exceed \$1000.00.

MOTION by KRZEMINSKI seconded by NEVERS approve this request in the amount of \$2,950 plus travel expenses as presented.

MOTION Carried.

18. Request to End the Probationary Period of Nick Slanda and grant the title of Macomb Township Fire Fighter.

Fire Chief Phillips addressed the Board members regarding this item, recommending ending the probation of Nick Slanda and granting him the title of Macomb Township Fire

Fighter. Mr. Slanda was in the audience and was acknowledged and thanked by Supervisor Brennan and Board members.

MOTION by KRZEMINSKI seconded by DUNN to approve ending the probationary period of Nick Slanda and granting him the title of Macomb Township Fire Fighter.

MOTION Carried.

19. Request to Approve the Agreement Between Macomb Township and Macomb County for Public Safety Communications System Membership.

Fire Chief Phillips addressed the Board members regarding this item.

MOTION by DUNN seconded by MALBURG to approve this agreement as presented.

MOTION Carried.

20. Request to Adopt National Incident Management System Resolution.

Fire Chief Phillips held discussion with Board members regarding this federally mandated agreement.

RESOLUTION FOR THE ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM

AT A MEETING OF THE MACOMB TOWNSHIP BOARD OF TRUSTEES, COUNTY OF MACOMB, MICHIGAN, HELD SEPTEMBER 27, 2006,

RESOLUTION – ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM IN THE TOWNSHIP OF MACOMB, COUNTY OF MACOMB, MICHIGAN

WHEREAS, the Board of Trustees of the Township of Macomb, Michigan, does hereby find as follows:

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the township's/county's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes,

WHEREAS, the Incident Command System components of NIMS are already an integral part of various township/county incident management activities, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of standardized Incident Command System.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Trustees of Macomb Township, County of Macomb, Michigan, that the National Incident Management System (NIMS) is established as the Township of Macomb's standard for incident Management.

Dated: September 27, 2006 Macomb Township Board of Trustees, County of Macomb, Michigan


CERTIFICATION

I, Michael D. Koehs, Clerk for Macomb Township, hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Macomb Township Board of Trustees at their Meeting held on Wednesday, September 27, 2006.

Michael D. Koehs, CMC

MOTION by KRZEMINSKI seconded by BUCCI to approve this resolution as presented.

MOTION Carried.

21.  Request to Adopt Macomb County Emergency Management Resolution.

Fire Chief Phillips discussed this item with the Board members.

**EMERGENCY MANAGEMENT AGREEMENT
BETWEEN MACOMB TOWNSHIP and MACOMB COUNTY**

Pursuant to Section 9 of Public Act 390 of 1976 (Act 390), municipalities have certain responsibilities to appoint an emergency management coordinator;

Macomb Township desires to become part of the Macomb County Emergency Management Program and exercise its option to appoint the Macomb County Emergency Management Coordinator as its coordinator as provided for in Act 390;

Therefore, the parties agree as follows:

A. PURPOSE

The purpose of this agreement is to set forth the emergency management relationship between Macomb Township and Macomb County. Both parties will act in accordance with the terms of this agreement and the procedures set forth in the Macomb County Emergency Action Guidelines and the Macomb Township Support Emergency Action Guidelines.

B. MUNICIPAL RESPONSIBILITIES

1. Appointment of Municipal Emergency Management Liaison

A municipal Emergency Management Liaison and two successors to this position will be appointed by Macomb Township to assist the Macomb County Emergency Management Coordinator in all matters pertaining to disaster prevention, mitigation, relief and recovery operations within the municipality.

2. Development of Municipal Support Emergency Action Guidelines

A Support Emergency Action Guidelines will be developed that identifies emergency response procedures in relation to the Macomb County Emergency Management Program. The Support Plan will be considered to be part of the County's Emergency Action Guidelines and shall be maintained in accordance with the Standards of currentness of the County's Emergency Action Guidelines. The support plan shall contain the signature of the Macomb Township Chief Executive and be forwarded to the County Office of Emergency Management.

C. COUNTY RESPONSIBILITIES

1. Coordinate all Emergency Management Functions

The Macomb County Emergency Management Coordinator will coordinate all emergency management functions pertaining to disaster prevention, mitigation, relief, and recovery operations within the county and municipalities that are part of the County Emergency Management Program and will file the necessary paper work required for funding, filing of flash reports, and developing assistance requests for Macomb Township with the Michigan State Police, Emergency Management Division. The Macomb County Emergency Management Coordinator will work with the Macomb Township Emergency Management Liaison when involved in emergency management activities that involve the municipality.

2. Development of Emergency Action Guidelines; Support Plan Assistance

Macomb County Emergency Management will develop the Macomb County Emergency Action Guidelines in accordance with Federal and State requirements. The Macomb County Emergency Management Coordinator will assist the Macomb Township Emergency Management Liaison with the development of the Macomb Township Support Emergency Action Guidelines to assure that it meets specified requirements and is compatible with the Macomb County Emergency Action Guidelines.

D. EMERGENCY MANAGEMENT PROGRAM OVERSIGHT

The Macomb County Emergency Management Coordinator acts for and at the direction of the Chairperson of the County Board of Commissioners. The Chairperson of the County Board of Commissioners shall confer with any municipal chief executive official whose municipality has designated the County Emergency Management Coordinator as that municipality's Emergency Management Coordinator upon request.

E. COUNTY/MUNICIPAL RESOURCES

It is understood by both parties that in an emergency or disaster situation, resources of the county and/or the municipality may be requested to respond to the incident and provide support to the affected area. The resources requested shall be made accessible, subject to their availability. The affected area may not be within the confines of said municipality.

Any costs expended by Macomb Township and by Macomb County pursuant to this agreement shall be borne by each individually, unless other arrangements are set forth in writing at some date subsequent to the date of this agreement. Reimbursement from any source, including but not limited to State or Federal disaster relief, shall be shared by the parties on a prorated basis, based upon the

total amount expended by both parties in coping with the emergency or its aftermath and each party's relative share.

F. ANNUAL WORK AGREEMENT ITEMS

Throughout the year there are certain requirements that the Macomb County Office of Emergency Management must fulfill to meet State and Federal mandates. In order to achieve some of these mandates, the cooperation and participation of the local municipality may be necessitated. At such times, all requests for assistance in completing these mandates will be handled through the Emergency Management Liaison for said municipality.

MACOMB COUNTY

Board Chair, Board of Commissioners

Date

MACOMB TOWNSHIP

Chief Executive Official

Date

**RESOLUTION & AGREEMENT
FOR MACOMB TOWNSHIP/MACOMB COUNTY EMERGENCY MANAGEMENT**

WHEREAS, the Township of Macomb elects to become part of the Macomb County Emergency Management Program and will provide for mitigation, preparedness, response and recovery from natural and human-made disasters;

WHEREAS, the Township of Macomb will provide a means for coordinating the resources of the municipality with those of the county; and

WHEREAS, the Township of Macomb will provide an emergency management liaison to work with the county emergency management coordinator; and

FURTHER, pursuant to Act No. 390 of the Public Acts of 1976, as amended, Township Board hereby adopts and approves the Emergency Management Agreement between the Township of Macomb and Macomb County and the Support Emergency Action Guidelines; and

NOW, THEREFORE, BE IT RESOLVED that the Township of Macomb will provide a means through which the Township Board may exercise the authority and discharge the responsibilities vested in them by this resolution and Act No. 390 of the Public Acts of 1976, as amended.

MOTION by KRZEMINSKI seconded by BUCCI to approve this resolution as presented.

CERTIFICATION

I, Michael D. Koehs, Clerk for Macomb Township, hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Macomb Township Board of Trustees at their Meeting held on Wednesday, September 27, 2006.

Michael D. Koehs, CMC

HUMAN RESOURCES DEPARTMENT

22.  Request to Approve the 'Flu Shot' Program for Employees for 2007.

Human Resource Director John Brogowicz discussed this item with Board members. St. John's Health Partners will charge \$22.00 per injection with Township paying \$15.00 plus a \$100.00 on site fee. Employees would then be responsible to pay \$7.00.

MOTION by KRZEMINSKI seconded by DUNN to approve the Flu Shot program for employees as presented.

MOTION Carried.

WATER AND SEWER DEPARTMENT

23. Request to Approve Pay Certificate #4; 23 Mile Road Water Main, Pamar Enterprises, Inc., MA04-013.

Water/Sewer Dept. Superintendent David Koss addressed the Board members regarding this item.

MOTION by BUCCI seconded by MALBURG to approve Pay Certificate #4 in the amount of \$24,731.59.

MOTION Carried.

24. Request to Approve Change Order #2; 23 Mile Road Water Main, Pamar Enterprises, Inc., MA02-007 and MA02-022.

Water/Sewer Superintendent David Koss addressed the Board Members regarding this item.

MOTION by DUNN seconded by NEVERS to approve Change Order #2 in the amount of \$39,747.73.

MOTION Carried

25. Purchase Requisitions:

A. (2) SLC Meter Service

B. LeCom Communications Contractors

Water/Sewer Superintendent David Koss addressed the Board members regarding these items.

MOTION by DUNN seconded by KRZEMINSKI to approve the purchase requisition for 250 SLC meters in the amount of \$27,750.00.

MOTION Carried

MOTION by KRZEMINSKI seconded by MALBURG to approve the purchase of the Maintenance Agreement on Reading system for meters for \$5,472.00.

MOTION Carried

MOTION by DUNN seconded by MALBURG to approve the purchase requisition for LeComm Communication Contractors in the amount of \$1,179.30.

MOTION Carried.

BOARD COMMENTS

26. Supervisor Comments:

a). Request to enter into Inspection Service Agreement for Town Hall HVAC System

Human Resource Director John Brogowicz addressed the Board regarding this item, which provides for the Greater Detroit Heating and Cooling company to provide routine maintenance services annually to our HVAC system. The annual cost would be \$5,777.00.

MOTION by KRZEMINSKI seconded by MALBURG to approve this maintenance agreement as presented.

MOTION Carried.

b) Commitment Letter regarding Plante & Moran, PLLC

Supervisor John Brennan addressed the Board members regarding this item. This agreement pertains to Plante & Moran regarding the standards and their legal responsibilities with regards to the way they conduct their audit of Macomb Township assets.

MOTION by KRZEMINSKI seconded by BUCCI to authorize the Township Supervisor to enter into the agreement with Plante & Moran.

MOTION Carried.

27. Clerk Comments: None

28. Treasurer Comments: None

29. Trustees Comments: None

MOTION by BUCCI seconded by DUNN to adjourn to Executive Session at 7:52 p.m.

MOTION Carried

Board Members reconvened at 7:57p.m.

EXECUTIVE SESSION

30. Easement Acquisition; Hayes Road Water Main Project; MA098-026.

MOTION by BUCCI seconded by NEVERS to approve the acquisition of the easement for Water Main Project MA098-026 in the amount of \$6,221.00.

MOTION Carried.

ADJOURNMENT

MOTION by BUCCI seconded by DUNN to adjourn the meeting at 7:58p.m.

MOTION Carried.

Respectfully Submitted,

John D. Brennan
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk
jrg